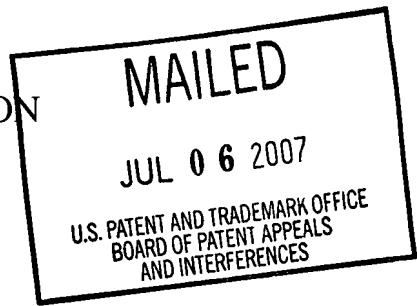


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DAVID EDWARD MASON

Application 10/719,525
Technology Center 3600



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on May 3, 2007. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, this application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

On February 6, 2006, an Examiner's Answer was entered into the record. In the Evidence Relied Upon section, p. 2, paragraph 8, the Examiner has failed to list Ishibashi et al. (JP-8-67108) as applied to the statement of rejections in the Grounds of Rejection, paragraph 9 of the Examiner's Answer.

Before further review, the Examiner must mail a PTOL-90 that will include in the amended Evidence Relied Upon section, a listing of *all* references mentioned in the Grounds of Rejection, section 9. *See the Manual of Patent Examining Procedure, (MPEP) § 1207.02.*

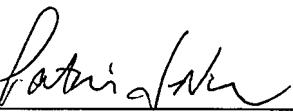
Furthermore, a full-text English translation is not present in IFW for the reference relied upon the Examiner in his rejection (Ishibashi et al. (JP-8-67108))

It is imperative that the Examiner supply a full-text English translation for this reference before any further processing of this appeal can take place. Appropriate correction is required.

Accordingly, it is *ORDERED* that the application is returned to the Examiner:

- (1) to issue and mail a PTOL-90 which shall include all references mentioned in section 9 (Grounds of Rejection), in accordance with the above instruction;
- (2) to supply a complete translation for the reference cited on page 2 of the Examiner's Answer mailed February 6, 2006 (Ishibashi et al. (JP-8-67108));
- (3) to mail Appellant a copy of said translation and have scanned into the official IFW record; and
- (4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

CARLSON, GASKEY & OLDS, P.C.
400 WEST MAPLE ROAD
SUITE 350
BIRMINGHAM, MI 48009

PJN/hh